

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 893

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 10, PUBLIC PEACE, MORALS, AND WELFARE, OF THE WRANGELL MUNICIPAL CODE TO ADD A NEW CHAPTER 10.18 ON ABUSE OF 911 SYSTEM, AND TO AMEND CERTAIN SECTIONS OF CHAPTERS 10.32 AND 10.36 RELATING TO WEAPONS AND DISCHARGE OF FIREARMS

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend the Title 10, Public Peace, Morals, and Welfare, of the Wrangell Municipal Code to add a new chapter on abuse of 911 system, and to make amendments to sections in Chapters 10.32 and 10.36 relating to weapons and firearms.

SEC. 2. Amendment. Title 10 of the Wrangell Municipal Code is amended to add a new Chapter 10.18 to the list of chapters to read:

Title 10  
PUBLIC PEACE, MORALS, AND WELFARE

Chapters:

- 10.04 False Fire Alarms
- 10.08 Interference with Officers
- 10.12 Repealed
- 10.16 Trespass on Public Floats
- 10.18 Abuse of 911 system
- 10.20 Repealed
- 10.24 Repealed
- 10.28 Curfew for Minors
- 10.32 Misconduct Involving Weapons **[Carrying Weapons]**
- 10.36 Discharge of Firearms and Other Weapons
- 10.40 Abandoned Personal Property

- 10.44 Possession, Control, or Consumption of Alcoholic Beverages
- 10.48 Possession of Tobacco by a Minor

SEC. 3. New Chapter. A new Chapter 10.18 is added to Title 10 of the Wrangell Municipal Code to read:

Chapter 10.18  
ABUSE OF 911 SYSTEM

Sections:

10.18.010 Abuse of 911 system.

**10.18.010 Abuse of 911 system.**

(a) Any person who, after being warned that their use of the 911 telephone system is improper, uses the 911 telephone system for any reason other than because of an emergency is guilty of an infraction.

(b) For purposes of this section "emergency" means any condition in which a reasonable person would believe emergency services will result in the saving of a life, a reduction in the destruction of property, quicker apprehension of a criminal, assistance with potentially life-threatening medical problems, a fire, a need for rescue, an imminent potential crime, or a similar situation in which immediate assistance is required. "Emergency" also includes calls to 911 the purpose of which is to prevent an emergency response from being initiated when no such response is needed.

(c) A violation of this section shall be fined as provided in WMC 1.20.050.

SEC. 4. Amendment. Chapter 10.32 of the Wrangell Municipal Code is amended to read:

Chapter 10.32  
MISCONDUCT INVOLVING WEAPONS [CARRYING WEAPONS]

Sections:

- 10.32.010 Misconduct involving weapons [Carrying concealed weapons prohibited].
- [10.32.020 Carrying loaded firearms.**
- 10.32.030 Dangerous weapons in certain premises.**

**10.32.040 State law.]**

**10.32.010 Misconduct involving weapons [Carrying concealed weapons prohibited].**

**For misconduct involving weapons, the City and Borough of Wrangell shall follow the provisions of Alaska Statutes, AS 11.61.190 through AS 11.61.220. [It is unlawful for any person to carry any firearm or any deadly weapon of any kind in a concealed manner within the corporate limits of the borough.**

**10.32.020 Carrying loaded firearms.**

**It is unlawful for any person, except authorized police personnel, to carry any firearm, air rifle, air pistol, B-B gun or other projectile-propelling device which contains any cartridge, pellet, B-B, dart or other ammunition within the chamber or magazine thereof, within the corporate limits of the borough.**

**10.32.030 Dangerous weapons in certain premises.**

**A. It is unlawful to possess or carry in any manner whatever any dangerous weapon upon or within any premises licensed as a beverage dispensatory, a restaurant, cafe, or beer parlor where intoxicating liquors of any kind whatsoever are sold, dispensed, or kept for sale or to be consumed on the premises.**

**B. For the purposes of this section, the term “dangerous weapon” shall mean and include any instrument which by its capabilities of use is liable to produce death or great bodily harm.**

**C. The following are dangerous per se: blackjack, billy, sandclub, sandbag, bludgeon, slingshot, slungshot, pistol, revolver, rifle, shotgun; any instrument which impels a missile by compressed air, spring, or other means; any weapon upon which loaded or blank cartridges are used; any tear gas device; cross-knuckles; knuckles of any metal; bowie knife, dirk knife, dirk dagger, switchblade knife, straight-edge razor or any knife having a blade of three inches or longer.**

**D. This section shall not apply to law enforcement officers.**

**10.32.040 State law.**

**The provisions of this chapter are not applicable to the carrying of a concealed weapon pursuant to, and in compliance with, state law.]**

**SEC. 5. Amendment. Chapter 10.36 of the Wrangell Municipal Code is amended to read:**

Chapter 10.36  
DISCHARGE OF FIREARMS AND OTHER WEAPONS

Sections:

10.36.010 Prohibited within certain areas.

10.36.020 Exceptions.

**10.36.010 Prohibited within certain areas.**

It is unlawful for any person excepting a peace officer on duty to discharge any bows, crossbows, long bows, carriage bows or similar devices, pistol, gun, rifle or any other type of firearm:

A. In the service area described in WMC 1.06.040 within one-half mile of any public street, road or highway; or [and]

B. In the borough in violation of state law or in a manner so as to create a hazard or danger to any person, property or livestock.

C. A violation of this section shall be fined as provided in WMC 1.20.050.

**10.36.020 Exceptions.**

A. It is not unlawful to discharge a firearm at a rifle range, target-shooting range, trap-shooting range or other area which is posted for such purpose during daylight hours; providing, that the chief of police shall have approved the area as being safe for such purpose. **[; and providing, that such shooting is adequately supervised and safely conducted].** Any minor under the age of 18 shall be supervised by an adult who is 18 or older.

B. It is not unlawful to discharge a bow, crossbow, long bow, carriage bow or other similar device on private property; provided, that the discharge is solely for target practice or enjoyment or improving skills; and provided, that the area is safe for such purpose and safely conducted.

SEC. 6. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 7. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 8. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: January 27, 2015.

PASSED IN SECOND READING: February 10, 2015.

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David L. Jack, Mayor

ATTEST:

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Kim Lane, Borough Clerk